

**Security Council**

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Report of the Secretary-General on the situation concerning Western Sahara**I. Introduction**

1. The present report is submitted pursuant to Security Council resolution 1675 (2006) of 28 April 2006, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2006. In that resolution, the Council requested the Secretary-General to provide a report on the situation in Western Sahara before the end of the mandate period. The present report covers developments since the issuance of my report dated 19 April 2006 (S/2006/249).

II. Recent developments in Western Sahara

2. On the seventh anniversary of his accession to the throne, King Mohammed VI of Morocco gave a speech, on 29 July 2006, in which he referred to the Moroccan initiative launched in the past year to find a political solution to the Western Sahara question. He mentioned his consultations with political parties on a proposed autonomy plan for Western Sahara and his decision to strengthen the Royal Advisory Council for Saharan Affairs, whose members had been invited to submit views on the plan. King Mohammed VI stated that the reaction of the international community had been positive thanks to Morocco's wish to cooperate with all parties concerned towards realizing the full potential of a common regional future.

3. Following my last report to the Council and in advance of a visit by the Office of the United Nations High Commissioner for Human Rights, King Mohammed VI ordered the release on 22 April of 46 prisoners, including 38 Saharan activists who had been jailed in 2005 for participating in demonstrations demanding self-determination for Western Sahara. Their release sparked demonstrations in towns across the Territory, with consequent allegations of further arrests and detention of demonstrators by Moroccan authorities.

4. Moreover, during the period under review, demonstrations by Saharans calling for respect for human rights and the right to self-determination continued in the Territory. Violent confrontations were reported between Moroccan security forces and demonstrators, leading to arrests and detentions. Between 2 May and 30 June, I received six letters from the Secretary General of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente Polisario), Mohamed



Abdelaziz, alleging human rights abuses by Moroccan authorities in the Territory, including detention, torture, lack of judicial due process and the disappearance of political prisoners and human rights activists. On 2 June, I received a letter from the Permanent Representative of Morocco to the United Nations calling for United Nations intervention to stop oppression in the camps in Tindouf following alleged reports of unrest there.

5. On 26 July, the European Union signed a fisheries agreement with the Government of Morocco whereby fishing vessels from countries in the Union would gain access to the territorial waters off Morocco. The agreement did not exclude the waters off Western Sahara. In a letter addressed to me on 23 May, the Secretary General of the Frente Polisario deplored the exploitation by Morocco of the natural resources of Western Sahara, stating that certain clauses of the agreement constituted a breach of international law and that the agreement might complicate the situation in Western Sahara.

III. Activities of my Personal Envoy

A. Contacts with the parties and neighbouring States

6. During the reporting period, my Personal Envoy, Peter van Walsum, held consultations with the representatives of the two parties, the Government of Morocco and the Frente Polisario, as well as with the representatives of the neighbouring countries, Algeria and Mauritania, and with those of other interested countries.

7. Concerning the two parties, in addition to meetings in New York with the Permanent Representative of Morocco, my Personal Envoy met in Rabat, on 4 and 5 September, with the Prime Minister, Driss Jettou, the Minister for Foreign Affairs and Cooperation, Mohamed Benaissa, the Minister Delegate for Foreign Affairs and Cooperation, Taieb Fassi Fihri, the Minister of the Interior, Chakib Benmoussa, the Minister Delegate of the Interior, Fouad Ali Himma, and other senior Government officials. Furthermore, my Personal Envoy met with the representative of the Frente Polisario in New York and with M'Hamed Khadad, the coordinator of the Frente Polisario with MINURSO, in The Hague on 2 August. He met again in the Tindouf area from 6 to 8 September, with M'Hamed Khadad, Abdelkader Taleb Omar, El Khalil Sidi M'Hamed and other senior Frente Polisario officials. In the Tindouf area, he also visited the refugee camps of Awsard, the 27 February School and Dakhla.

8. Concerning the neighbouring countries, in New York my Personal Envoy met with the Permanent Representative of Algeria to the United Nations and was received by the Minister for Foreign Affairs, Mohammed Bedjaoui, on 25 September. Furthermore, he met in New York with the Permanent Representative of Mauritania to the United Nations and was received by the President of the Military Council for Justice and Democracy and Head of State, Colonel Ely Ould Mohamed Vall, and by the Minister for Foreign Affairs, Ahmed Ould Sid'Ahmed, and other senior Government officials in Nouakchott on 11 September. My Personal Envoy also held consultations with representatives of interested countries in New York and met with the authorities of Spain, the United States of America and

France, in Cordoba, Washington and Paris on 17, 22 and 28-29 September respectively.

9. During his various meetings in the region and in New York, my Personal Envoy listened to the parties' concerns and positions on the way out of the current impasse, and reiterated the recommendation for negotiations between Morocco and the Frente Polisario. Morocco informed him of its ongoing work on an autonomy proposal. Since then, the Moroccan authorities have made it known that their initiative would be presented in the coming months. The Frente Polisario restated its attachment to the Western Saharan people's right to self-determination, to be exercised in a referendum including the option of independence. In the course of the meetings with neighbouring States and other interested countries, the Algerian authorities reiterated that their country was not a party to the conflict and that, therefore, any negotiations should be between Morocco and the Frente Polisario, as already stated in the letter dated 20 February 2006 from President Bouteflika addressed to me. Mauritania once again stressed its strict neutrality, but also its strong support for the United Nations in its effort to reach a lasting and mutually acceptable solution to the question of Western Sahara.

10. During his visit to the region, my Personal Envoy took the opportunity to visit, for the first time since his appointment, MINURSO headquarters in Laayoune and the Mission's area of operations, both east and west of the berm, in order to familiarize himself with the Mission's implementation of its mandate and operations. In Laayoune, my Personal Envoy met with the delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), who recalled the observer mandate of his organization in accordance with the Settlement Plan.

11. I take this opportunity to express my appreciation to the Government of Spain for having made available an aircraft for the travel of my Personal Envoy in the region.

B. Findings of my Personal Envoy

12. It will be recalled that, in his first briefing to the Security Council on 18 January 2006, my Personal Envoy had analysed the current situation along the following lines:

(a) The Security Council insisted on a consensual solution to the question of Western Sahara and had done so from the outset;

(b) On that basis, the Security Council had acquiesced in Morocco's rejection of the Peace Plan for Self-Determination of the People of Western Sahara ("Baker Plan"). Its own support for that plan in resolutions 1495 (2003) and 1541 (2004) had always been qualified by the phrase "on the basis of agreement between the two parties";

(c) As any non-consensual solution was ruled out, there were only two options, either indefinite prolongation of the impasse or direct negotiations between the parties.

13. As that conclusion had been welcomed by his Moroccan interlocutors but contested by those of the Frente Polisario, my Personal Envoy tried to find out

whether any party, neighbouring State or other interested country could suggest a third option more likely to be acceptable to both parties. The only suggestions he received presupposed a willingness on the part of the Security Council to impose a solution by obliging Morocco to accept a referendum with independence as one of the options. As his further consultations confirmed that the latter was unrealistic, his analysis became the basis of the observations and recommendations in my report to the Security Council of 19 April 2006 (S/2006/249).

14. After the adoption of resolution 1675 (2006), whose operative part dealt with little more than a six-month extension of the MINURSO mandate, my Personal Envoy undertook to avail himself of the subsequent six months to clarify his analysis, not only to the Frente Polisario and Algeria, but also to Morocco. He utilized his contacts with authorities and representatives of the parties and neighbouring States to explain that, while it was true that both he and Morocco advocated negotiations, that similarity did not mean that he was convinced by Morocco's legal arguments. In his briefing of 18 January, he had already told the Council that, in his view, the United Nations could not sponsor a plan that excluded a referendum with independence as an option while claiming to provide for the self-determination of the people of Western Sahara, and also that he believed that few people outside Morocco agreed that the advisory opinion of the International Court of Justice of 1975 supported Morocco's view that, on account of the existence of historical ties between the Sultan of Morocco and tribes living in the territory of Western Sahara, General Assembly resolution 1514 (XV) did not apply. The only reason he nevertheless advocated negotiations between the parties was that, given the Security Council's firm rejection of a non-consensual solution, negotiations were the only alternative to indefinite prolongation of the impasse.

15. In that connection, my Personal Envoy also made an effort to clarify his position on the relationship between international legality and political reality. In his briefing of 18 January, he had remarked that the Security Council naturally had to observe international law, but that it also had the responsibility to take account of political reality. In response, the Frente Polisario and Algeria rejected any notion of a compromise between the two and insisted on the supremacy of international legality. In his contacts with the parties and neighbouring States over the past six months, my Personal Envoy pointed out that his acceptance of the fact that the Council had ruled out a non-consensual solution to the question of Western Sahara did not imply diminished respect for international legality. In his view, international legality was broader than General Assembly resolution 1514 (XV) and also included, notably, the Charter of the United Nations. It was the Charter that stipulated that General Assembly resolutions were not directly enforceable, whereas it granted the Security Council the exclusive authority to decide whether a dispute should be addressed under Chapter VI (Pacific Settlement of Disputes) or under Chapter VII (Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression). If the Council availed itself of that authority and opted for Chapter VI, it was acting in conformity with international legality. Moreover, while making that choice in the case of Western Sahara, the Council had not dismissed the basic principle of General Assembly resolution 1514 (XV). The latest Security Council resolutions do not mention the holding of a referendum, but neither does General Assembly resolution 1514 (XV). They do, however, stipulate that the political solution, to be achieved by the parties with the assistance of the Council, must provide for the self-determination of the people of Western Sahara.

16. During his recent visit to the region, my Personal Envoy asked his interlocutors which of the two options they preferred: continuation of the impasse or negotiations without preconditions. Officials of the Frente Polisario replied that they would opt for the continuation of the impasse, realizing full well that this could only lead to renewed armed struggle. Some of them added that, even if the leadership of the Frente Polisario should continue to call for restraint, the pressure of frustrated young Saharans who wanted to fight might become impossible to resist. These statements shed a somewhat different light on my Personal Envoy's impression that there was a broad trend of resignation to the status quo with regard to the question of Western Sahara.

17. Yet my Personal Envoy did not believe that positions taken by the parties were the only cause of the prolongation of the impasse. Positions adopted by countries outside the region could also hinder the search for a negotiated political solution. Most third countries were anxious to observe strict impartiality, but some apparently practised this by trying to please both parties in equal measure. On the one hand, those countries would show understanding for the reluctance of Morocco to see a territory the size of the United Kingdom of Great Britain and Northern Ireland with only a few hundred thousand inhabitants, become a fully independent State on its southern border; on the other hand, they would be opposed to exerting pressure on the Frente Polisario to accept Moroccan sovereignty over Western Sahara and be content with a referendum without the option of independence. These were valid points, but only if they were made together, not if each party was only told the part that it liked to hear. My Personal Envoy suspected that a selective use of sensible arguments explained why both parties seemed to overestimate the support they enjoyed.

18. During his recent tour of the region, my Personal Envoy underlined that the negotiations he envisaged would have only one objective endorsed by the Security Council: to achieve a just, lasting and mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara. The fact that other preconditions were ruled out would mean that, in the terms of reference of the negotiations, there would be no room for a demand by the Frente Polisario that there should be a referendum with independence as an option or for a Moroccan demand that its sovereignty over Western Sahara be recognized. Obviously, such demands could be raised by the respective parties in the course of the negotiations.

19. Such negotiations will not get off the ground unless the Security Council makes it absolutely clear that the exercise of self-determination is the only agreed aim of the negotiations; they cannot be about a proposal for Western Saharan autonomy under Moroccan sovereignty (although, again, such a proposal may be tabled), nor about a referendum with independence as an option (although this too may be tabled). The fact that the Security Council has acquiesced in Morocco's rejection of a referendum with independence as an option does not imply that it has rejected such a referendum itself.

20. If either party cannot accept that open-ended approach, there will be no negotiations. Such an outcome would be a serious setback for Morocco, which is anxious to obtain international recognition of its sovereignty over Western Sahara. A setback for one is not, however, automatically a victory for the other. The Frente Polisario should not rejoice either, for as the impasse continues, the international community unavoidably grows more accustomed to Moroccan control over Western

Sahara. The fisheries agreement concluded in July 2006 between the European Union and Morocco is a case in point. Having spent just over a year on his assignment, my Personal Envoy is convinced that the Frente Polisario would be well advised to enter into negotiations now, while there is still consensus in the Council that a negotiated political solution must provide for the self-determination of the people of Western Sahara. That clause can work as a safety valve or an emergency brake: any proposal will need to be judged on its potential for developing into something that can ultimately be regarded as an exercise of the right to self-determination of the people of Western Sahara, and the only judges will be the two parties themselves.

IV. Activities on the ground

A. Military

21. As at 5 October 2006, the military component of MINURSO stood at 209 personnel, including administrative personnel and medical unit officers, against the authorized strength of 230. Regrettably, only one female military observer was contributed during the period under review, although the Force Commander would welcome a larger deployment of female personnel by troop-contributing countries in order to improve the Mission's gender balance. United Nations military observers continued to monitor the ceasefire, which has been in effect since 6 September 1991. The area of responsibility has in general remained calm.

22. During the reporting period, MINURSO performed 4,852 ground patrols and 266 air patrols to visit and inspect units of the Royal Moroccan Army and the military forces of the Frente Polisario, in accordance with military agreement No. 1 between the Royal Moroccan Army and MINURSO, on the one hand, and the Frente Polisario military forces and MINURSO on the other. The greater number of patrols as compared to earlier years was the result of a number of changes in the military structure and procedures of MINURSO, which were explained in my previous report (S/2006/249, paras. 24-28). These changes have increased the operational output of MINURSO and improved its ability to do its part to maintain the ceasefire.

23. MINURSO continued to enjoy good relations with both the Royal Moroccan Army and the Frente Polisario armed forces. However, the two parties continued to abstain from dealing directly with each other. All contacts were in the form of meetings and written communications with MINURSO. A MINURSO proposal to establish a joint military verification commission, designed to build confidence between the parties, is still under discussion with the Royal Moroccan Army.

24. Violations of military agreement No. 1 by both parties remain on the same level compared to the previous reporting period. From 16 March to 5 October 2006, MINURSO observed eight new violations by the Royal Moroccan Army and five new violations by the military forces of the Frente Polisario, reflecting again a decrease of almost 50 per cent in the overall number of violations compared with the same period in 2005. The violations included continued incursions into the buffer strip by armed elements, construction of new physical structures, redeployment of troops and movement of weapons and military units within the restricted areas without prior notification or approval by MINURSO.

25. MINURSO continued to observe long-standing violations by both parties. These included improvements to defence structures, such as the presence of radar equipment belonging to the Royal Moroccan Army and the continued deployment of military personnel and infrastructure improvements by the Frente Polisario in the area known as the "Spanish Fort", as described in my report to the Security Council of 27 January 2005 (S/2005/49, para. 6).

26. From the start of the Mission's mandate, both parties have imposed restrictions on the freedom of movement of MINURSO military observers. The restrictions primarily relate to the denial of entry into the parties' strong points and units to verify unit strength and weapons systems. As indicated in my previous report, the Frente Polisario agreed to lift all restrictions, but this has been implemented in only one military region out of six. With regard to the Royal Moroccan Army, the restrictions are few in the Awsard sector but remain in place in all others. On 1 June, MINURSO started to record restrictions on freedom of movement for military observers as violations of military agreement No. 1. During the period from 1 June to 5 October, 539 such violations were recorded on the side of the Royal Moroccan Army and 86 on the Frente Polisario side. The presence of greater numbers of Royal Moroccan Army strong points and units explains, to some extent, the higher number of violations on its part. However, further improvements are necessary from both sides to enable MINURSO to carry out its monitoring functions more effectively.

27. With regard to military agreements Nos. 2 and 3, both parties continued to extend cooperation to MINURSO in the marking and disposal of mines and unexploded ordnance and expired ammunition. During the period under review, MINURSO discovered and marked 31 mines and pieces of unexploded ordnance and two areas with cluster bombs. MINURSO monitored the destruction of a total of 8,061 such devices, including expired ammunition, by the Royal Moroccan Army. On 27 September, a Saharan vehicle hit an anti-tank landmine near Smara, resulting in the death of one passenger and severe injuries to the other.

28. The Mission has organized activities to raise mine awareness among the population in the Territory in the form of mine-risk education in the refugee camps in Tindouf. MINURSO is also cooperating with the authorities in Mauritania and the United Nations Development Programme (UNDP) to facilitate mine-clearance activities along the Western Sahara border with Mauritania and to pursue regional mine awareness programmes. In cooperation with the Mine Action Service, MINURSO has embarked on a comprehensive mine and unexploded ordnance survey as well as clearance of areas, initially east of the berm, but with the potential to continue to other areas. An agreement was signed between the United Nations and Landmine Action, a United Kingdom-based non-governmental organization, in April 2006. Landmine Action personnel arrived in Tifariti in August and began training a local non-governmental organization. The initial priority will be to clear MINURSO tracks of mines and unexploded ordnance. The required funds were made available by the Mine Action Service and contributing nations as well as by organizations such as the Princess of Wales Memorial Fund. Funding is in place for mine/unexploded ordnance-clearance activities to continue into 2007. I wish to thank those countries and organizations that have contributed to this important project which will lead to a safer environment for all and will prepare for the safe return of refugees. I would like to encourage present and potential donors to support these important mine-action initiatives.

29. Since its deployment in 1991, MINURSO has been operating on the basis of large-scale aerial maps that have become outdated over time. To address the need for accurate mapping, a Geographic Information System (GIS) cell was established in MINURSO in June with advice and training support from the Cartographic Section of the Department of Peacekeeping Operations and the United Nations Mission in Liberia. The cell has already proved invaluable in enabling MINURSO to cooperate effectively with Landmine Action through the use of compatible technology. Cooperation would not have been possible using the old mapping system. The goal of the GIS cell is to integrate information from various sources with digital maps of main parts of the Territory, further enhancing the Mission's operational effectiveness and the safety of its personnel. The cell has already produced the first updated maps of mine and unexploded ordnance locations, as well as operational maps based on satellite imagery. Staffing of the GIS cell is currently being provided within current mission assets. Requests for civilian posts for the GIS cell will be included in the 2007/08 budget.

30. Since 1994, the Korean medical unit had provided excellent primary medical care to MINURSO civilian and military staff as well as ad hoc humanitarian medical services to the local population of Western Sahara. On 13 May 2006, after nearly 12 years of dedicated service, it handed over its tasks to a Malaysian medical unit at a parade at Mission headquarters, which was attended by diplomatic representatives and military officials of the Republic of Korea and Malaysia, as well as by the Special Representative of the Secretary-General, the Force Commander and representatives of the African Union.

B. Prisoners of war, other detainees and persons unaccounted for

31. The International Committee of the Red Cross continues to work with the parties in accounting for those who are still missing in relation to the conflict.

C. Assistance to Western Saharan refugees

32. The general food distribution programme continues to support a caseload of 90,000 beneficiaries deemed most vulnerable in the Tindouf refugee camps in Algeria and to provide an extra 35,000 food rations for refugees whose livelihoods were affected by the torrential rains of February 2006.

33. Furthermore, a supplementary feeding programme is ongoing for an average of 9,500 pregnant and nursing women as well as for children under 5 years of age who are suffering from chronic malnutrition. The food pipeline has been very fragile during recent months, as donations of food commodities were not forthcoming, which forced the World Food Programme to draw food commodities from buffer stocks supplied by the European Community Humanitarian Office.

34. For the remainder of the year, there will be a shortfall of about 3,500 tons, most of which is in cereals, while there will no longer be a security stock from which to borrow. Therefore, I call upon donors to contribute generously to the Saharan refugee feeding operation in order to prevent interruptions in food distribution.

D. Confidence-building measures

35. As indicated in my previous report to the Council (S/2006/249, paras. 18-20), the programme of exchange of family visits between the Territory and the refugee camps in the Tindouf area was resumed on 25 November 2005 after an 11-month hiatus. However, it was suspended again in late May 2006 owing to difficulties related to flight schedules.

36. From November 2005 to May 2006, 1,020 individuals benefited from the programme, bringing the overall number of beneficiaries to 2,499 persons or 727 families since the start of the programme in 2004.

37. I am pleased that the parties have now agreed to resume the exchange of family visits, and the first flight is scheduled to take place in early November. While the immediate priority is to make arrangements for this flight and those to follow, the Office of the United Nations High Commissioner for Refugees (UNHCR) continues to focus on enhancing its operational capacity in relation to this programme, to update the list of applicants to exchange family visits and to explore with the parties the possibility of expanding the programme by increasing the number of beneficiaries.

38. UNHCR and MINURSO are also continuing to work towards the organization of two seminars offering an opportunity for dialogue and interaction among prominent members of the Saharan communities living in the Territory and the refugee camps in the Tindouf area. A draft concept paper on the planned seminars has been prepared by UNHCR and MINURSO. Both parties have submitted their comments on the draft. UNHCR and MINURSO are working on a revised concept paper, which will be submitted shortly to the parties for their approval.

39. The telephone service between the Tindouf camps and the Territory continued to operate successfully throughout the reporting period, allowing 56,000 refugees to make telephone calls to their relatives in the Territory.

40. As previously reported, UNHCR remains ready to implement the postal service in accordance with the modalities initially proposed or under any terms that would meet the approval of all concerned.

41. MINURSO continues to play an important role in supporting the exchange of family visits, which includes providing logistical support to the programme and use of MINURSO aviation assets. MINURSO civilian police officers and medical staff escort the participants, monitoring their conditions and facilitating airport procedures at arrival and departure points.

42. It is important that donors remain committed to this important humanitarian initiative, which is highly valued by the Saharan populations on both sides and fosters mutual understanding among them.

E. Illegal migrants

43. In my previous report, I informed the Council that 35 migrants remained in Bir Lahlou under the care of the Frente Polisario. The group was all that remained of a much larger one that had been provided with emergency assistance by MINURSO in late 2005. During the period immediately following my previous report, a number of

the migrants left Frente Polisario premises using their own means. By 16 May 2006, only 12 migrants were left in Bir Lahlou, where they remain. They include five migrants from Ghana, two from Burkina Faso, and one each from Cameroon, the Gambia, Guinea-Bissau, Mali and Nigeria. Facilitated by MINURSO, the International Organization for Migration (IOM) is working to obtain travel documents for the Nigerian migrant, who has indicated that he wished to return home.

44. On 25 August, the UNDP Resident Coordinator in Mauritania notified MINURSO of the presence of 51 migrants in the "no-man's land" south of the berm near the border crossing between Boulanouar in Western Sahara and Nouadhibou in Mauritania. MINURSO dispatched a military patrol, including representatives from the Malaysian medical unit, to the area. Fifty men stated their nationalities. They included 5 from Senegal, 3 from Mauritania, 36 from Mali, 4 from Côte d'Ivoire and 1 each from Guinea and Kenya. They were all found to be exhausted, but otherwise in relatively good health. The remaining migrant, a man from Mali, had died shortly after arriving at their location two days earlier. The group of men were between 17 and 40 years old, with the majority in their twenties. MINURSO provided basic medical assistance, together with a small quantity of blankets and enough food and water for two days. Local Mauritanian non-governmental organizations were actively engaged in helping the migrants. UNDP held talks with the Mauritanian authorities to facilitate their entry into Mauritania. On 1 September, the migrants were transported to Nouakchott with approval of the Mauritanian authorities by a rented bus paid for by the Government of Mali. On 2 September, a MINURSO helicopter patrol confirmed that the migrants had left their location at the border.

45. On 1 September, following discussions with the Minister for Foreign Affairs of Mauritania on recent events, the UNDP Resident Coordinator for Mauritania informed MINURSO of ongoing humanitarian challenges with illegal migrants in the Territory. The Government of Mauritania reported that it continued to be pressured into accepting groups of migrants allegedly dropped at its borders. Migrants have also claimed that they had been stranded in the desert after having been forced across the berm into the buffer strip. Therefore, I call upon all concerned to cooperate in upholding their humanitarian obligations towards migrants identified within their respective territories.

46. During the previous reporting period, MINURSO held talks with UNHCR and IOM to explore ways in which a more coordinated inter-agency response might be established (S/2006/249 para. 23). A formal understanding has not yet been reached on that issue. In the meantime, MINURSO continues to urge these partner organizations to finalize an understanding that would be in the best interests of the migrants. In that regard, MINURSO will continue its close cooperation with both entities in providing ad hoc humanitarian assistance to migrants as the need arises.

E. Human rights

47. The Office of the United Nations High Commissioner for Human Rights (OHCHR) conducted a mission to Rabat, Laayoune and the camps in the Tindouf area from 15 to 23 May and to Algiers on 19 June, as referred to in my previous report of 19 April 2006 (S/2006/249, para. 41). The mission's objective was to

gather information about the human rights situation in Western Sahara and in the refugee camps in the Tindouf area in Algeria. The OHCHR delegation was to report to the High Commissioner on its findings and to make recommendations on how to assist all those concerned to improve the protection of the human rights of the people of Western Sahara. Overall, the delegation enjoyed a very good degree of cooperation by all parties during its mission. The report was transmitted on 15 September as a confidential document to Algeria, Morocco and the Frente Polisario. It would appear that the report was leaked, however, as it was published on websites on 6 October and extracts quoted in press articles. OHCHR remains committed to treating the report as confidential and regrets its publication.

G. Restructuring and administration of the Mission

48. The recommendations of a civilian management review conducted in May 2005 and a security assessment conducted in December 2005 were reflected in the proposed budget for 2006/07 (A/60/724) and are being implemented. The restructuring resulted in the transfer of 30 international staff positions to a combination of United Nations Volunteer and local staff positions. While the Mission has experienced some administrative disruption, the restructuring will permit the civilian management structure of the Mission to better match its current mandated functions, will update its civilian staffing structure in accordance with practices in other peacekeeping operations, and will provide opportunities to improve the experience base of local staff.

49. Enhancement of the physical security infrastructure for the Mission's headquarters and team sites has commenced. Blast-resistant film has been installed on all windows, and work is being undertaken to create a secure parking compound for the headquarters. Improvements to the physical security of team sites east of the berm are expected to be completed by March 2007. The Mission continues to seek approval from municipal authorities for required security enhancements at MINURSO headquarters.

50. A programme to improve the living conditions of military observers in remote team sites is also under way. It includes the progressive replacement of the softwall structures that have been in place for 15 years with more permanent structures that can withstand severe weather conditions with lower maintenance costs.

51. The military component continues to be supported by the MINURSO administrative section. Night-vision equipment has been procured and is now in use. MINURSO aviation staff has worked closely with the military component to review the use of rotary-wing aircraft in support of military operational tasks, and several improvements to the allocation of air hours and security of task information have been put in place. Education of military observers concerning use of vehicles continues in order to minimize the rate of vehicle damage, although the harsh terrain and difficult driving conditions are not conducive to prolonging the service life of United Nations vehicles.

H. Prevention of sexual exploitation and abuse

52. In its resolution 1675 (2006), the Security Council requested me to continue to take the necessary measures to ensure that MINURSO achieved compliance with the

United Nations zero-tolerance policy on sexual exploitation and abuse. MINURSO has put in place measures to ensure compliance with that policy and a personnel conduct officer post was approved as part of the 2006/07 staffing table. All incoming military staff are briefed on the prevention of sexual exploitation and abuse by the military training unit. Starting in April 2006, MINURSO has trained almost a third of its military personnel as well as international civilian staff in the prevention of sexual exploitation and abuse. Training sessions will continue to cover all civilian staff and rotating military personnel so as to ensure full awareness regarding the United Nations Code of Conduct and the United Nations policy of zero tolerance for sexual exploitation and abuse.

V. African Union

53. The observer delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), continued to provide support and cooperation to the Mission. I wish to reiterate my appreciation to the African Union for its contribution.

VI. Financial aspects

54. The General Assembly, by its resolution 60/280, appropriated the amount of \$44.5 million gross for the maintenance of MINURSO for the period from 1 July 2006 to 30 June 2007. Therefore, should the Security Council approve my recommendation set out in paragraph 62 below, the cost for the operation and maintenance of the Mission will be limited to the resources approved by the General Assembly.

55. As at 30 June 2006, unpaid assessed contributions to the special account for MINURSO amounted to \$49.6 million. As a result of the outstanding assessed contributions, the Organization has not been in a position to reimburse the Governments providing troops for the troop costs incurred since April 2002. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to \$1,336.2 million.

VII. Observations and recommendations

56. I welcome the continued reduction in the number of violations by the parties to military agreement No. 1, which defines the ceasefire regime. However, the restrictions imposed on the freedom of movement of United Nations military observers who seek to visit the parties' units, headquarters and strong points for verification purposes have continued. It is the responsibility of the parties to ensure that violations are not committed by their military/security forces, and I would encourage the parties to lift all restrictions and extend their full cooperation to MINURSO in order to maintain the ceasefire. In that regard, and as previously noted (S/2006/249, para. 42), I would encourage the parties to cooperate with MINURSO on the review of existing military agreements to clarify any issues that may be subject to different interpretations and to ensure that basic peacekeeping principles are upheld.

57. The ceasefire went into effect on 6 September 1991. Today, 15 years later, the military parties remain without direct contact with each other. This continues to have a negative effect on mutual confidence and prevents the adoption of procedures that could help to stabilize the situation during critical periods. I would encourage the parties to work with MINURSO to establish direct cooperation and communication through a joint military verification commission and other forums. That could also help to solve problems of mutual interest, such as mine clearance and mine awareness, and be a way to improve living conditions for all concerned while ensuring continued respect for the ceasefire.

58. I am grateful to the Republic of Korea for its long-standing support to MINURSO through the deployment of a highly qualified and dedicated medical unit from 1994 to 2006. I welcome the deployment of the Malaysian medical unit and wish it equally successful service with MINURSO.

59. I am pleased to learn that the exchange of family visits between the Territory and the refugee camps in the Tindouf area will soon be resumed. The communities depend on the visits for contacts among family members who have not met for more than 30 years. I wish to congratulate the parties on reaching agreement on the resumption of this very important confidence-building measure.

60. I support the recommendation of OHCHR that all possible efforts be made to ensure respect for the human rights of the people of Western Sahara by all actors and that the United Nations explore with all relevant actors the best way to ensure adequate and continuous human rights monitoring in the region so as to guarantee the full protection of the human rights of the people of Western Sahara. I further urge the parties to remain engaged in continuous and constructive dialogue with OHCHR with a view to ensuring respect for the human rights of the people of Western Sahara.

61. Based on the assessment of the activities of my Personal Envoy, I would like to recommend that the Security Council call on the two parties, Morocco and the Frente Polisario, to enter into negotiations without preconditions, with a view to achieving a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara. The neighbouring countries, Algeria and Mauritania, should also be invited to these negotiations and would be consulted separately on issues directly affecting them, in accordance with the format that was observed during the tenure of my previous Personal Envoy, James A. Baker III. Once the parties have responded favourably to the Council's appeal, I will submit further proposals concerning the format of the negotiations, the role of the United Nations and other modalities.

62. In the existing circumstances on the ground and in the light of my Personal Envoy's ongoing efforts, I continue to believe that the presence of MINURSO remains indispensable for the maintenance of the ceasefire in Western Sahara. Therefore, I recommend that the Security Council extend the mandate of MINURSO for a further period of six months, until 30 April 2007.

63. In conclusion, I wish to express my appreciation to my Personal Envoy for his continuing efforts in search of a solution to the question of Western Sahara, and to my Special Representative, Francesco Bastagli, who served with great dedication until the end of September 2006. I also wish to pay tribute to all military and civilian personnel serving in MINURSO for the manner in which they have discharged, under difficult circumstances, the responsibilities entrusted to them by the Security Council.

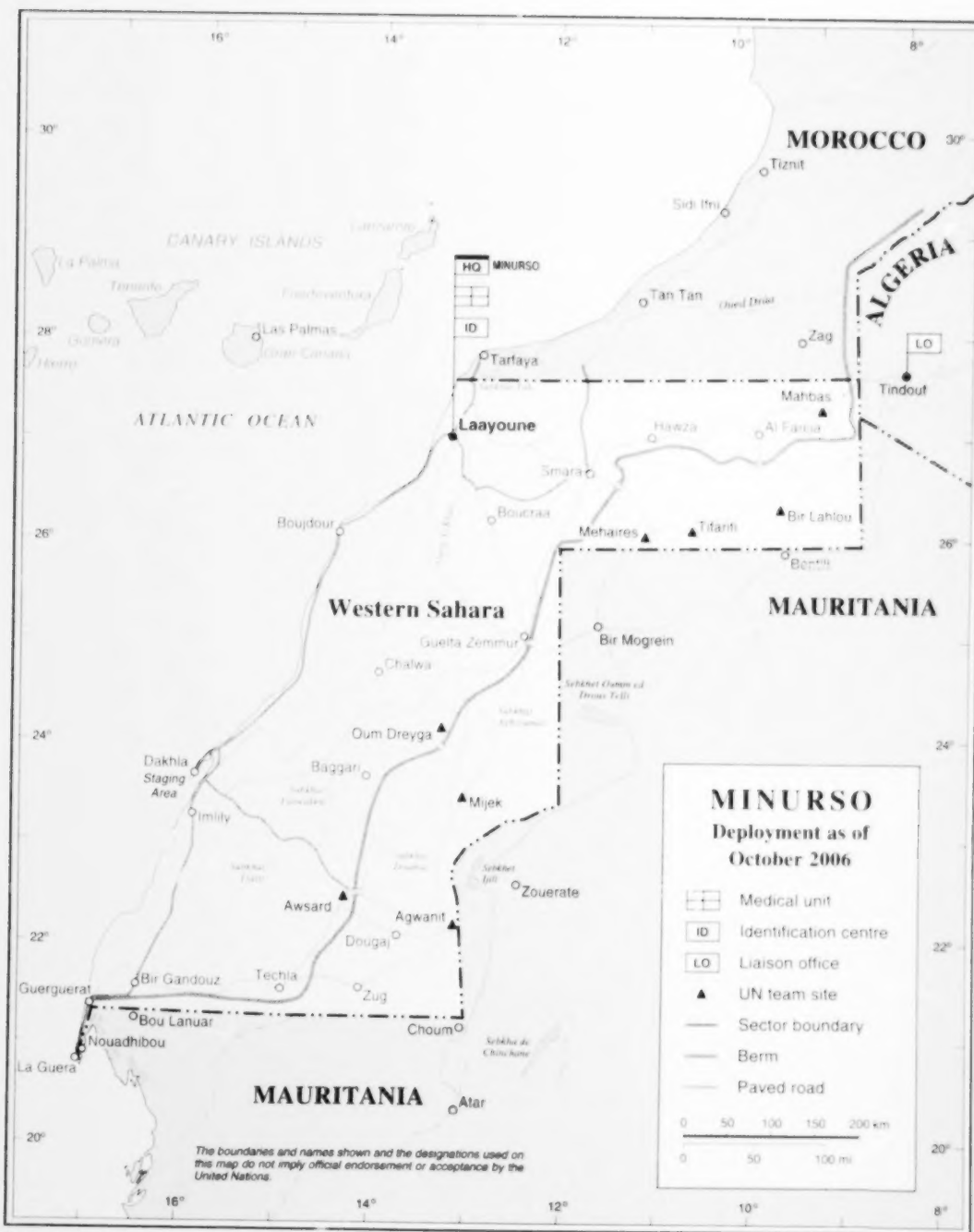
Annex

United Nations Mission for the Referendum in Western Sahara: contributions as at 15 September 2006

<i>Country</i>	<i>Military observers^a</i>	<i>Troops^b</i>	<i>Civilian police^c</i>	<i>Total</i>
Argentina	1			1
Austria	2			2
Bangladesh	8			8
China	15			15
Croatia	5			5
Denmark	1			1
Egypt	20		3	23
El Salvador	5		2	7
France	19			19
Ghana	9	7		16
Greece	1			1
Guinea	4			4
Honduras	12			12
Hungary	7			7
Ireland	3			3
Italy	5			5
Kenya	9			9
Malaysia	14	20		34
Mongolia	3			3
Nigeria	6			6
Pakistan	7			7
Poland	1			1
Russian Federation	20			20
Sri Lanka	2			2
Uruguay	8			8
Total	187	27	5	219

^a Authorized strength of military personnel is 231.

^b Authorized strength is 6.



**General Assembly
Security Council**Distr.: General
16 October 2006

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East
Jerusalem and the rest of the Occupied
Palestinian Territory

Security Council
Sixty-first year

**Identical letters dated 16 October 2006 from the Permanent
Observer of Palestine to the United Nations addressed to the
Secretary-General and the President of the Security Council**

Since our last letter of 12 October 2006, Israel, the occupying Power, has further escalated its aggression against Palestinian towns, villages and refugee camps, and has openly declared its intentions to continue its intentions to continue its military assaults in the Gaza Strip over the next week. Presently, the occupying Power is amassing its forces around the Gaza Strip in preparation for what appears will be a major military offensive.

Over the past few days, Israeli occupation military incursions and the extrajudicial killings of Palestinians have killed at least 16 Palestinians, injured tens of others and left widespread destruction of civilian property and infrastructure. On Friday, 13 October 2006, Israel stepped up its illegal campaign of extrajudicial killings, carrying out a number of attacks in the Gaza Strip that left seven Palestinians dead. Also during the late hours of that same day, Israeli occupying forces carried out an incursion into Beit Hanoun in the northern Gaza Strip and Khan Younis in the south, which resulted in the killing of seven more Palestinians. During the same incursion, Israeli military bulldozers razed large areas of orchards and fields in the area, destroying land, crops and local infrastructure. In addition, the occupying forces opened machine-gun fire from accompanying Apache helicopters on the civilian population in Khan Younis, and snipers targeted the residents at random. Mrs. Zahrah Qadeeh, 33 years old, was killed as a result of the random sniper fire.

These stepped-up Israeli attacks have been accompanied by intensified rhetoric on the part of the Israeli Government. In fact, Amir Peretz, the Israeli "Defence" Minister, declared on Sunday, 15 October 2006, that he had given his orders to the occupying forces to intensify their extrajudicial killings and military assaults on the Gaza Strip. Additionally, the Israeli Cabinet recently alleged receiving reports that "advanced weapons" had entered the Gaza Strip and vowed to take action against



that supposed development. It appears to be yet another excuse for the Israeli Government to continue its incursions and air strike attacks against the towns and people in the Gaza Strip.

These ceaseless military attacks and plausible threats of an even bigger assault are indicative of the occupying Power's abject disdain for the worth of Palestinian lives and its determination to deepen the already alarming humanitarian situation on the ground. The international community must continue to strongly condemn Israel's escalation of extrajudicial killings and deliberate and indiscriminate military attacks against civilian areas and, furthermore, the international community must take immediate action to bring a halt to these grave human rights violations and crimes against the Palestinian people.

This letter is in follow-up to our previous 266 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 12 October 2006 (A/ES-10/359-S/2006/808) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my profound regret to inform you that, since our last letter to you, at least 16 more Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 4,274. The names of the martyrs that have been identified are listed in the annex to the present letter.

I should be grateful if you would arrange to have the present letter and its annex distributed as an official document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) Riyad **Mansour**
Ambassador
Permanent Observer

**Annex to the identical letters dated 16 October 2006 from the
Permanent Observer of Palestine to the United Nations addressed
to the Secretary-General and the President of the Security Council**

**Names of martyrs killed by the Israeli occupying forces in the
Occupied Palestinian Territory, including East Jerusalem*
(Thursday, 12 October 2006, to Saturday, 14 October 2006)**

Thursday, 12 October 2006

1. Ayman Farawneh
2. Ayman Al-Harrazee
3. Eman Al-Harrazee (2 years)

Friday, 13 October 2006

4. Emad Rashad Al-Maqoosi
5. Mohammad Al-Tarmali
6. Essam Dhaher
7. Zahrah Ahmad Qadeeh

Saturday, 14 October 2006

8. Ramez Abu Rashed (18)
9. Sakhr Abu Jabal (18)
10. Ahmad Abu Al-Aish
11. Mohammad Shaqqoura
12. Awwad Atatwah (18)
13. Suleiman Al-Err
14. Fayez Al-Err
15. Raja' Al-Labhan
16. Omar Abu Shor'ieh

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 4,274.



Security Council

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Letter dated 17 October 2006 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 28 September 2006 (S/2006/778) indicating your intention to continue the activities of the United Nations support team for the Cameroon-Nigeria Mixed Commission with funding from the regular budget has been brought to the attention of the members of the Security Council.

The members of the Security Council take note of the information contained in your letter and the intention expressed therein.

At the same time, the Council requests further information and clarification in writing on the activities expected to be performed by the Mixed Commission in 2007 and following years and on those activities to be performed by the United Nations team.

The members of the Security Council also urge the parties to the Mixed Commission to work with international donors to seek further voluntary contributions.

(Signed) Kenzo Oshima
President of the Security Council



**Security Council**

Distr.: General
17 October 2006

Original: English

**Letter dated 16 October 2006 from the Secretary-General
addressed to the President of the Security Council**

I have the honour to refer to my letter of 3 November 2005 (S/2005/707), in which I informed the Security Council of the lack of financial contributions to support the activities of the High Representative for the elections in Côte d'Ivoire.

The voluntary contributions received so far are insufficient to maintain the important functions entrusted to the High Representative by Security Council resolution 1603 (2005). Despite generous contributions received from the European Commission, France, Norway, Spain, Switzerland and the United Kingdom of Great Britain and Northern Ireland during 2006, the efforts of the United Nations Development Programme (UNDP), through a special project, to support the High Representative and his office have not generated enough funds to enable the office to become fully operational. Moreover, the experience of the past several months has demonstrated that the UNDP project mechanism has not been effective to deal with the important aspects of the work of the High Representative. In particular, it cannot adequately respond to the critical needs of the High Representative in the area of security, especially his close protection, which, for obvious reasons, cannot be handled by local security firms. As a result of these deficiencies, the High Representative is obliged to spend a considerable amount of time on fund-raising activities, to the detriment of his main functions.

In view of the above, and considering the crucial role played by the High Representative in the peace process, and as mentioned in my eighth report on the United Nations Operation in Côte d'Ivoire (S/2006/222), it is my intention to approach the General Assembly to seek its approval for the use of assessed contributions to fund the office of the High Representative.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. Annan



**Security Council**

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17 October 2006

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**Tenth progress report of the Secretary-General
on the United Nations Operation in Côte d'Ivoire****I. Introduction**

1. The present report is submitted pursuant to Security Council resolution 1603 (2005) of 3 June 2005, by which the Council requested me to keep it regularly informed of developments in Côte d'Ivoire and on the implementation of the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI). The report covers developments since my report of 17 July 2006 (S/2006/532).

II. Political developments

2. During the reporting period, Prime Minister Charles Konan Banny, supported by the United Nations, regional leaders and other international partners, made commendable efforts to use the last three months before the 31 October 2006 deadline for the elections to accelerate the implementation of the key tasks relating to the disarmament of combatants, the identification of the population and the re-establishment of State authority throughout the country. To that end, the Prime Minister focused on achieving the benchmarks agreed upon during the high-level meeting of Ivorian and regional leaders, which I convened in Yamoussoukro on 5 July 2006. However, as indicated in paragraphs 5 to 19 below, implementation of the decisions of the Yamoussoukro meeting encountered deliberate obstruction resulting in a new stalemate.

3. The impasse emanated mainly from major disagreements among the Ivorian parties on fundamental issues concerning the procedures for issuing certificates of nationality and the related preparation of the voters' list. These disagreements also stalled the implementation of the pre-cantonment phase of the disarmament, demobilization and reintegration process, which was to be implemented concomitantly with the initial phase of the identification process. At the same time, the dismantling of militias was suspended on account of the low number and poor quality of the weapons and ammunitions surrendered.

4. In the meantime, the Prime Minister continued to face constraints in exercising his authority under Security Council resolution 1633 (2005). In particular, he lacked authority over the Defence and Security Forces and did not have full control over public funding for the key aspects of the transition process, especially disarmament,



identification, the re-establishment of State authority throughout the country and the electoral preparations.

A. Implementation of the Yamoussoukro benchmarks

Identification of the population

5. The Yamoussoukro high-level meeting, which I convened on 5 July, had agreed that 50 mobile courts were to be deployed by 15 July, public hearings would be conducted and birth certificates and certificates of nationality would be issued to those eligible. Implementation of that decision started on 17 July. However, the total number of operational mobile courts never exceeded 25. In the southern part of the country, the mobile courts were immediately disrupted by supporters of the ruling Front populaire ivoirien (FPI) party. The President of the party, Afi N'Guessan, called upon its followers to oppose the operations of the mobile courts "by all means", claiming that the issuance of certificates of nationality by such courts was inconsistent with the law. In addition, despite the joint monitoring mechanism put in place by UNOCI and the High Representative for the elections, Gérard Stoudmann, President Laurent Gbagbo and his party, FPI, insisted that the mobile court hearings could be used fraudulently to grant Ivorian citizenship to those who were not eligible.

6. The attempts by FPI supporters, in particular the Young Patriots, to disrupt the operations of the mobile courts, led to violent clashes with the opposition parties. In Divo and Grand-Bassam, the clashes resulted in the death of at least eight Ivorians on 22 and 23 July. The violent disruption campaign continued until early August, when the Prime Minister announced new guidelines, based on a strict interpretation of the nationality law, which prohibited the mobile courts from issuing certificates of nationality. According to the law, there are only 34 designated courts in the country that can issue certificates of nationality. Such a small number of courts would be inadequate to handle the estimated caseload of some 3 million Ivorians expected to apply for certificates of nationality. Furthermore, the courts are inaccessible to the vast majority of the potential applicants and they are unevenly distributed between the northern and southern parts of the country. The opposition parties rejected the new guidelines, arguing that the public hearings conducted by mobile courts had been legally used to issue certificates of nationality prior to the conflict and that no law expressly prohibited the practice.

7. After the proclamation of the new guidelines, the number of persons appearing before the mobile courts dropped precipitously. By mid-September, the operations of the mobile courts, which were initially scheduled to run for two months, had completely stopped in all areas. Between 17 July and 15 September, only 933 mobile court hearings were held (327 in the southern part of the country, 583 in the northern part of the country and 23 in the zone of confidence), and some 74,000 birth certificates and 70,000 certificates of nationality were issued. UNOCI provided logistical support for the operation, including transporting préfets and sous-préfets to the areas controlled by the Forces nouvelles.

Disarmament, demobilization and reintegration

8. With regard to disarmament, the Yamoussoukro meeting had decided that a monitoring group, comprised of the National Armed Forces of Côte d'Ivoire (FANCI), the Forces nouvelles, UNOCI and the French Licorne force, would be established by 15 July, and that the pre-cantonment of combatants would be completed by 31 July. Although the monitoring group was established on 13 July, the Forces nouvelles suspended its participation in the group and in the dialogue on military issues in reaction to the proclamation of the new guidelines on the operations of the mobile courts. They argued that the guidelines violated the agreed principle of conducting the initial phases of the disarmament and identification processes concomitantly. The monitoring group has therefore not been able to verify the claims by the Forces nouvelles and FANCI that they had completed the pre-cantonment of their respective combatants (24,000 FANCI personnel and 13,000 Forces nouvelles elements).

9. With the breakdown of the military dialogue, many combatants were reported to have left the pre-cantonment sites and returned to their deployment areas. In addition, despite UNOCI efforts, the two sides have not yet submitted the lists of their combatants and weapons. Furthermore, the Forces nouvelles are now insisting that the restructuring of the national army must be implemented immediately, as part of the disarmament, demobilization and reintegration process. To that end, they have called for the establishment of an integrated command under the authority of the Prime Minister.

Dismantling and disarmament of militias

10. The Yamoussoukro high-level meeting had also envisaged that the dismantling and disarming of the militias would be completed by 31 July. The process started in the western part of the country on 26 July. The National Programme for Disarmament, Demobilization and Reintegration (PNDDR) registered 981 combatants who surrendered only 110 mostly unserviceable weapons and some 6,975 assorted rounds of ammunitions before the process was suspended on 4 August on account of the low number and poor quality of the surrendered weapons. Efforts to resume the process in a more credible fashion have not yet succeeded, and the militia leaders are demanding that an additional 3,000 individuals be allowed to join the programme. UNOCI provided logistics support to the PNDDR Operational Centre, as well as technical expertise to PNDDR on disarmament procedures and on the storage of weapons and ammunitions.

Preparations for the elections

11. The Yamoussoukro meeting also took a number of decisions related to the preparation of elections. First, it decided that President Laurent Gbagbo would issue a decree to allow the Independent Electoral Commission to make any technical adjustments to the electoral code of 2000 deemed necessary, in order to facilitate the transitional elections. On 29 July, the President signed a decision empowering the Commission to submit to the Prime Minister its proposed amendments to the electoral code. The Prime Minister would, in turn, assess the proposed amendments and refer them to the President for promulgation.

12. The leader of the Parti démocratique de Côte d'Ivoire (PDCI), Henri Konan Bédié, and the leader of the Rassemblement des Républicains (RDR), Alassane

Ouattara, wrote to me on 17 August to convey their concern that President Gbagbo had not been following the consultative process established by the African Union mediator, President Thabo Mbeki of South Africa, for issuing such decisions, which have crucial implications for the electoral process. They also contended that the decision gave the President the final say on matters governing an election in which he would be a candidate.

13. On this question, the High Representative for the elections noted that the decision retained the essential need for the Independent Electoral Commission to initiate proposals and contained safeguards against abuse, which included the Prime Minister's assessment and certification by the High Representative.

14. The Yamoussoukro decisions also called upon the Independent Electoral Commission to establish countrywide structures by 31 July. Under its operational plan, the Commission intended to establish 24 regional commissions, 48 departmental commissions and 358 local commissions. So far, 19 regional commissions have been established. From the outset, the deployment of the regional and local commissions has been hampered by several factors, including inadequate funding and organizational capacity, as well as security concerns. An additional constraint is the electoral law, which provides that each subnational commission must have the same membership composition as the central commission, which has 31 members. This would require a total of some 33,000 commissioners, most of whom must be members of political parties signatory to the Linas-Marcoussis Agreement, which makes it impracticable. The High Representative for the elections has suggested that the extraordinary procedures for changes to the electoral law should be used to reduce the size of local commissions.

15. The Yamoussoukro high-level meeting also reaffirmed the validity of the Pretoria Agreement of 29 June 2005, including its paragraph 6, which referred to the respective roles of the Independent Electoral Commission and the National Institute of Statistics in the electoral process. President Gbagbo and his supporters are adamantly opposed to the preparation of a new voters' roll and maintain that the voters' list used during the 2000 elections should simply be updated by the Institute. The opposition parties, for their part, have rejected the voters' list used in 2000 and insist that a new voters' roll must be prepared by the Commission, and not the Institute, on the basis of the identification process.

16. On 19 July, in response to a formal request from President Gbagbo, President Mbeki, in his capacity as the African Union mediator, clarified the disputed roles of the two institutions, reaffirming the exclusive responsibility of the Independent Electoral Commission for organizing the elections and indicating that the National Institute of Statistics should report directly to the Commission. The opposition parties are, however, concerned that the top posts at the Institute are dominated by officials who also have formal roles in the leadership of the ruling party. This stalemate could be resolved by replacing the identified FPI-affiliated officers with non-partisan individuals.

17. The Yamoussoukro meeting also decided that a donors' conference would be convened to mobilize funding for the elections as soon as the electoral preparations had made sufficient progress. The operational budget for the elections is approximately \$74 million and there is still a funding gap of some \$39 million. However, the progress made in the technical preparations for the elections has not been adequate to warrant the convening of the envisaged conference.

Redeployment of State administration

18. With regard to the re-establishment of State administration in the northern part of the country, which was one of the benchmarks set in Yamoussoukro, the Prime Minister reported on 8 September to the International Working Group established by the Security Council under resolution 1633 (2005), that 92 mayors' offices had been reopened as of 24 August, and that 61 officials had been redeployed to their prefectures by 31 August. To date, some 12,000 displaced civil servants are yet to return to the areas controlled by the Forces nouvelles.

Establishment of a compulsory code of conduct for the media

19. With regard to the incitement of violence through the media, the Yamoussoukro meeting decided that there should be a code of conduct for the media. UNOCI has assisted the media regulatory bodies in preparing a draft code of conduct, but it has not yet been implemented.

B. Efforts to break the political stalemate

20. On 5 September, Prime Minister Banny convened in Yamoussoukro a further meeting of the main Ivorian political leaders (President Gbagbo, former President Bédié, former Prime Minister Ouattara and Forces nouvelles leader Guillaume Soro) in an effort to reach agreement on measures to break the stalemate in the peace process. Their discussions focused on proposals by the Prime Minister for the adoption of extraordinary measures to allow the issuance of certificates of nationality to eligible Ivorians. The meeting, however, failed to secure an agreement on this crucial issue, and the political leaders requested Prime Minister Banny to continue his search for alternative solutions.

21. The impasse in the peace process was further compounded by the dissolution of the transitional Government by Prime Minister Banny on 6 September, following a scandal created in late August by the dumping of toxic waste in Abidjan by a foreign vessel. Although the Prime Minister announced a new Government on 16 September, in which he replaced the Ministers of Transport and Environment, the toxic waste crisis sidetracked the efforts to break the impasse in the peace process. For several weeks, the Ivorian youth held demonstrations, which at times turned violent, in the commercial capital against the dumping of the toxic waste.

22. On 8 September, the International Working Group met in Abidjan and adopted a communiqué (S/2006/738, annex) in which it concluded that it was no longer possible to meet the 31 October 2006 deadline for the elections. The Working Group identified the main obstacles to the peace process and recommended that, in view of the expiration of the transition period on 31 October, the Security Council adopt a new resolution on Côte d'Ivoire that would eliminate the ambiguities in the current transition arrangements and reinforce the powers of the Prime Minister.

23. The Chairman of the African Union, President Denis Sassou-Nguesso of the Congo, visited Côte d'Ivoire on 11 and 12 September and discussed with President Gbagbo, Prime Minister Banny, Mr. Bédié, Mr. Ouattara and Mr. Soro further possible measures to resolve the stalemate over the procedures for issuing certificates of nationality. However, the compromise solution proposed by President Sassou-Nguesso was not accepted by one of the parties.

24. On 20 September, I convened a follow-up meeting of the Ivorian and regional leaders, in the margins of the sixty-first session of the General Assembly, in New York, as agreed during the 5 July high-level meeting in Yamoussoukro. One week before the meeting, by which time all the other leaders had confirmed their participation, I received a letter from President Gbagbo informing me that he would not attend the meeting. He stated that he intended to present his own proposals on the Ivorian peace process at a meeting of the African Union. The letter followed a number of public statements by the President rejecting the communiqué issued by the International Working Group on 8 September and asserting that the time for negotiations was over.

25. In my letter of reply, I expressed regret at President Gbagbo's decision not to attend this important meeting and reminded him that the decision to convene the follow-up meeting in New York had been taken with his full consent. I also pointed out that the views emerging from the follow-up meeting would be conveyed to the Economic Community of West African States (ECOWAS), the African Union and the Security Council, so that those bodies would take them into account when they meet to decide on the way forward on Côte d'Ivoire. As such, the follow-up meeting was not intended to replace the envisaged meetings of ECOWAS, the African Union and the Security Council.

26. Prime Minister Banny, Mr. Bedié, Mr. Ouattara and Mr. Soro, as well as the African Union Chairman, President Sassou-Nguesso of the Congo, President Blaise Compaoré of Burkina Faso, President John Agyekum Kufuor of Ghana, President Mbeki of South Africa, the Foreign Ministers of Mali, the Niger and Nigeria, the Chairman of the African Union Commission, Alpha Oumar Konaré, and the Executive-Secretary of ECOWAS, Mohammed Ibn Chambas, participated in the meeting. In opening the meeting, I stressed the special significance of its timing, noting that, with only six weeks before the end of the transition period in Côte d'Ivoire, the peace process was at a stalemate, and it was no longer technically feasible to hold elections by 31 October 2006. I therefore proposed that, in addition to taking stock of progress towards meeting the benchmarks agreed upon in Yamoussoukro and discussing measures needed to break the political stalemate, the meeting should discuss the way forward after 31 October and the measures to be taken to ensure that a new transition period would not end without elections again.

27. Prime Minister Banny, my Special Representative Pierre Schori and the High Representative for the elections, Gérard Stoudmann, provided an assessment of the implementation of the decisions of the Yamoussoukro meeting of 5 July, along the lines indicated in paragraphs 5 to 19 above. In their statements, the participants recognized that it was no longer technically feasible to organize and conduct elections in Côte d'Ivoire by 31 October 2006. The Ivorian political leaders provided their views on the fundamental causes of the current stalemate in the peace process. They and many of the participating regional leaders acknowledged that an extension of the transition period was necessary, and that a new transition process should guarantee the holding of credible elections.

28. Prime Minister Banny stressed the need for urgent measures to resolve the impasse on the procedures for issuing certificates of nationality, in order to enable the Government to make as much progress as possible in the remaining weeks before the end of the transition period on 31 October. President Mbeki, however, expressed the view that it would not be appropriate for the meeting to decide on those

crucial issues in the absence of President Gbagbo and FPI. The participants agreed that it was important for ECOWAS, the African Union and the Security Council to decide, without delay, on measures to break the impasse and on the extension of the transition period with arrangements that would guarantee the holding of elections. The Executive Secretary of ECOWAS announced that he intended to propose the convening of an extraordinary summit of ECOWAS to discuss those issues. The ECOWAS summit was subsequently held in Abuja on 6 October.

29. In a further effort to resolve the political impasse, on 25 September, President Mbeki travelled to Abidjan, where he met with President Gbagbo and Prime Minister Banny. On 26 September, Presidents Mbeki and Gbagbo proceeded to Ouagadougou for consultations with President Compaoré. Meanwhile, in separate letters addressed to the Chairman of the African Union, President Sassou-Nguesso, the Forces nouvelles, RDR, and PDCT demanded the termination of President Mbeki's role as the African Union mediator in the Ivorian crisis, alleging that his mediation efforts had not been impartial. The stalemate in the peace process remained unresolved up to the time of the ECOWAS summit on 6 October.

30. The ECOWAS summit issued a final communiqué in which it reaffirmed that, for ECOWAS, Security Council resolution 1633 (2005) remained an ideal framework for resolving the Ivorian crisis. It also recommended that the Security Council take all necessary measures to address the obstacles to the implementation of the resolution. In a closed session, the ECOWAS leaders agreed on specific recommendations that were not made public. These important proposals will be considered by the Peace and Security Council of the African Union at a meeting scheduled to take place in Addis Ababa on 17 October. The African Union will, in turn, present its decisions to the Security Council.

III. Security situation

31. During the period under review, the security situation in Côte d'Ivoire remained unpredictable, mainly as a result of the tension created by the disruption of the operations of the mobile court hearings, the conditions facing the combatants who had assembled at pre-cantonment sites that had no adequate facilities, the disagreements between PNDDR and militia leaders over the implementation of the programme for dismantling and disarming militias, the toxic waste scandal, inflammatory statements by political leaders, posturing by the political parties as the end of the transition period approached with the peace process at an impasse and a series of strikes and protests by public servants and personnel from the gendarmerie.

32. Several violent incidents in the zone of confidence led to new displacements of populations in the area during the reporting period. The impartial forces have increased efforts to curb violent crime in the zone, in order to facilitate the return of the displaced persons. The deficiencies of the Ivorian judicial system have however impeded the efforts to stabilize the area. In the western part of the country, the presence of armed militiamen and persistent land disputes perpetuated a climate of insecurity.

33. Violent crime has spread beyond Abidjan to other areas, mainly Bouaké, Korhogo and the western part of the country. Armed burglaries and street robberies as well as checkpoint racketeering are now relatively common in the southern and northern parts of the country, while highway robberies by so-called "*coupeurs de*

route" are endemic in the western part of the zone of confidence and in the northern part of the country.

34. UNOCI and the French Licorne force continued to face obstructions to their operations, in particular their arms embargo and monitoring activities. In addition, recent inflammatory statements by the President of the ruling party, Mr. N'Guessan, calling for the departure of the French Licorne force from Côte d'Ivoire, as well as public calls by President Gbagbo for the "lifting" of the zone of confidence, could exacerbate tensions and lead to an increase in the obstruction to the freedom of movement of the two forces.

35. On 2 October, Mr. N'Guessan issued another inflammatory statement threatening violence against ECOWAS nationals living in Côte d'Ivoire, if the ECOWAS summit of 6 October failed to take a decision to force the Forces nouvelles to disarm. The former Speaker of the erstwhile National Assembly, Mamadou Koulibaly, reiterated that threat on 6 October. In a statement released on 5 October, I deplored the inflammatory remarks made by Mr. N'Guessan and called upon all Ivorian political leaders and their followers to exercise the utmost restraint at this critical juncture. ECOWAS issued a similar statement on 4 October.

IV. Deployment of the United Nations Operation in Côte d'Ivoire

A. Military component

36. As of 6 October 2006, the strength of UNOCI stood at 8,045 military personnel against the authorized ceiling of 8,115. The deployment of the 1,025 additional military personnel, approved by the Security Council in its resolution 1682 (2006), has been completed. In this regard, a mechanized infantry battalion from Jordan was deployed in Abidjan to enhance the operational capabilities of UNOCI in the city. An infantry company from Benin was deployed in the western sector to reinforce the Benin battalion's positions in that highly volatile region.

37. The Sous-Groupement de sécurité, which provides security to members of the Government, was strengthened by an additional 73 gendarmes from Benin, Ghana, the Niger, Senegal and Togo. Ghana also provided the long-awaited aviation unit, which is stationed in Bouaké.

38. Although the deployment of these reinforcements has enhanced UNOCI force capabilities, there is still a significant shortfall, as mentioned in my previous reports, in the number of troops required to support effectively the implementation of the road map for peace, should the peace process make sustained progress. This troop deficit could also become critical in the near future, should there be a major deterioration of security situation in Côte d'Ivoire. In this regard, I urge the Security Council to keep the troop strength of UNOCI under review, with a view to authorizing the deployment of the remaining three battalions, out of the four recommended in my report of 3 January 2006 (S/2006/2).

39. UNOCI has also made substantial progress towards enhancing the efficiency of its troops. To that end, most components of the UNOCI force have received basic training in crowd control in order to enhance their ability to protect United Nations personnel and property and to support the formed police units in the event of widespread violent actions by unarmed civilians. All the new units inducted in the

Operation during the reporting period comprise elements equipped and trained to face hostile crowds with non-lethal force.

40. At the inter-mission Force Commanders Conference, which took place on 9 June 2006, the Force Commanders of the United Nations Mission in Liberia (UNMIL) and UNOCI decided to conduct concurrent patrols along the Côte d'Ivoire-Liberia border in order to increase the United Nations security presence, monitor and deter cross-border movements, establish cross-border liaison and reassure the local population. Coordinated patrols in border areas were temporarily suspended in September owing to troop rotation but resumed in early October.

41. The military leadership of UNOCI has maintained close contacts with the command of the Ivorian Defence and Security Forces and the Forces nouvelles to secure their continued commitment to the military dialogue and their cooperation in stabilizing the overall security situation. As a result of several meetings of the UNOCI Force Commander with the Minister of Defence and the chiefs of Staff of FANCI and the Forces nouvelles, the latter have agreed, in principle, to resume the military dialogue by the end of October 2006.

B. Police component

42. As of 9 October 2006, the strength of the UNOCI police component stood at 949 personnel, including five formed police units totalling 625 police personnel, against an authorized strength of 1,200 police personnel. The temporary shortfall is primarily due to a delay in the deployment of one of the three additional formed police units authorized by the Security Council under resolution 1682 (2006). Two additional formed police units, from Jordan and Bangladesh, arrived in Côte d'Ivoire in August and September and have been deployed, respectively, to Abidjan and Yamoussoukro. The third additional formed police unit should arrive by mid-November.

43. The remainder of the United Nations police officers are deployed in 18 sites nationwide, including nine locations in the areas controlled by the Forces nouvelles, two in the zone of confidence and seven in the Government-controlled areas. They continue to train gendarmes and police officers, as well as mentor and advise local security forces. In Abidjan, joint patrols with Ivorian Defence and Security Forces are undertaken on a daily basis, and allow United Nations police officers to mentor and provide technical advice to the local law enforcement agencies. In the northern part of Côte d'Ivoire, measures are being taken to deploy the security auxiliaries trained by the United Nations police in 2005 to newly constructed police stations, funded by the European Union, where United Nations police officers will continue to mentor them.

V. Judicial system

44. During the period under review, UNOCI continued to monitor the performance of the judicial system in Côte d'Ivoire. On 5 August, President Gbagbo issued a decree nominating judges nationwide. The decree exacerbated political tensions, as the opposition argued that the President had not followed the law in making the appointments. The appointment of judges is a particularly sensitive issue in the Ivorian context given their role in delivering certificates of nationality.

45. In August 2006, UNOCI published a major report on the functioning of the prison system nationwide, providing a detailed evaluation of the conditions of detention in all prisons in Côte d'Ivoire. The report makes recommendations for immediate and structural improvements in the corrections system. UNOCI is currently training 12 local trainers as part of the implementation of these recommendations. A project developed with UNOCI assistance to refurbish eight prisons, including two in controlled areas by the Forces nouvelles, will be funded by the European Union for 1 million euros. UNOCI also developed a prison farm project with the non-governmental organization Prisoners without Borders and local prison administration authorities, which was submitted for donor funding.

VI. Humanitarian situation

46. In mid-August, over 580 cubic metres of toxic petrochemical waste from a foreign cargo ship were dumped at 18 sites in Abidjan. The resulting contamination caused the death of eight people, while some 100,000 others received medical treatment. The United Nations system assisted the Government in providing an emergency response to this environmental and public health crisis, supplying drugs to 32 health centres, treating affected people, testing the quality of drinking water and providing basic equipment to secure the dumping sites.

47. The United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) provided medicines worth over \$150,000 to health facilities treating the affected populations, while the United Nations Development Programme donated protective gear and cordoning material, and WHO deployed a team of highly specialized staff, including a chemical toxicologist and an environmental health expert. The United Nations Industrial Development Organization sent an expert to determine whether the chemicals were recognized as dangerous under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the United Nations Environment Programme announced that it would investigate the legal aspects of the incident through the secretariat of the Basel Convention.

48. The Office for the Coordination of Humanitarian Affairs deployed a disaster assistance and coordination team, comprising environmental and chemical experts, to provide technical assistance and support coordination efforts, while a private French company launched a cleaning-up operation. Although the immediate threat has been reduced, the contamination of soil and water sources might have long-term effects. Several investigations are ongoing under the auspices of the Government.

49. The internally displaced population in Côte d'Ivoire is still estimated at 700,000 persons. Most have now been displaced for four years and live in dire social and economic conditions. The humanitarian community continues to provide protection and assistance to the displaced population under the leadership of the Office of the United Nations High Commissioner for Refugees (UNHCR). However, humanitarian access in western areas continues to be impeded by the presence of armed elements, in particular between Guiglo and Bloléquin. Nonetheless, an estimated 5,000 displaced persons have returned to 53 villages in the Toulepleu area.

50. By the end of September 2006, Côte d'Ivoire was still host to some 40,000 refugees, more than 98 per cent of whom are of Liberian origin. UNHCR expects to

repatriate about 22,000 of the Liberian refugees by the end of 2006. Many have requested to be resettled in third countries.

51. From 28 August to 24 September 2006, school examinations were held in all school districts in the areas controlled by the Forces nouvelles. The examinations were organized by the Ministry of Education with the support of United Nations agencies, UNOCI and non-governmental organizations. In a positive development, during 2006 several examination centres were under the direct supervision of the staff of the Minister of Education and elements of the Forces nouvelles.

52. Humanitarian assistance continues to be seriously underfunded in Côte d'Ivoire. In 2005, the humanitarian community appealed for \$43.7 million under the Consolidated Appeal Process, but received only \$13.6 million to implement projects under the Consolidated Appeal Process and \$8.4 million through other channels. An additional \$4.9 million have been allocated through the new Central Emergency Response Fund grant under "neglected underfunded emergencies", to finance critical projects in the areas of health, water and sanitation, and for the protection of internally displaced persons. The funding shortfalls affect not only humanitarian sectors but also recovery and reconciliation aspects of the road map. The 2007 Consolidated Appeal Process will seek \$50 million to address humanitarian emergencies in Côte d'Ivoire.

VII. Impact of the crisis on the economic and social situation

53. The crisis has had a significant economic, social and regional impact. Its ripple effects are felt throughout the West African subregion, stifling trade and transportation, investment and growth, and regional integration. Nonetheless, Côte d'Ivoire remains a cornerstone of the regional economy, constituting about 40 per cent of the gross domestic product of the West African Economic and Monetary Union. Neighbouring countries, such as Burkina Faso, Mali and the Niger, continue to depend very heavily on the transport facilities of Côte d'Ivoire for imports and exports and on remittances from migrant nationals.

54. The recent increase in oil exports from Côte d'Ivoire has helped mitigate the considerable macroeconomic impact of the crisis. In 2005, oil exports earnings for the first time exceeded proceeds from cocoa/coffee as a result of high oil prices and new production capacity achieved in late 2005. Nevertheless, the negative political and security environments continue to impede the recovery of investments and economic activity. Inflation reached 4 per cent in 2005, compared with 1.5 per cent in 2004. A modest recovery began in 2004/05, with real annual growth averaging 1.8 per cent, owing to higher cocoa exports and a rise in petroleum output. A modest 2 per cent growth is anticipated for 2006. Meanwhile, foreign direct investments have decreased significantly and many foreign businesses have closed down or scaled down operations considerably pending the resolution of the crisis. The crisis has also resulted in the expansion of the informal economy and in an increase in smuggling, in particular of cocoa and diamonds, to neighbouring countries.

55. The conflict has also halted most structural reforms, leading to the deterioration of economic governance and transparency. Efforts have been made to maintain sound fiscal management; however, military and other expenditures are often financed and executed outside regularized fiscal channels.

56. On the social front, the crisis has increased the poverty rate, accounting for an estimated 44 per cent of the population. Youth unemployment remains extremely high. The delivery of basic social services has deteriorated, HIV/AIDS is endemic and the achievement of most Millennium Development Goals is seriously jeopardized. There has also been significant deterioration in Côte d'Ivoire's human development index: the country now ranks 163 of 177 countries rated.

57. As of the end of September 2006, the country's arrears to the World Bank reached about \$350 million. Since November 2004, the Government has been in a non-accrual status vis-à-vis the World Bank, precluding any financial activity from the Bank, including funding for the disarmament, demobilization and reintegration programme. The agreement reached between the Government and the World Bank on the clearance of the arrears has not yet been implemented.

VIII. Human rights

58. The peace and reconciliation process in Côte d'Ivoire continues to be threatened by serious human rights violations committed with impunity by members of the Defence and Security Forces in the southern part of the country, members of the armed forces of the Forces nouvelles in the north, and members of armed and unarmed militia in both regions. The pattern of violations is still characterized by summary and extrajudicial killings, enforced disappearances, torture and other inhumane and degrading treatment, sexual violence and exploitation, including trafficking of women and children, interference with freedom of movement and freedom of expression, arbitrary arrests and detention and intercommunity violence. In Abidjan, during the period under review, several incidents involving the Young Patriots, sometimes armed, and members of the Fédération étudiante et scolaire de Côte d'Ivoire (FESCI), resulted in serious violations of human rights, which were not prevented by law enforcement authorities.

59. Clashes over land disputes among different communities, respectively in Divo, Alepé and Yamoussoukro, led to killings, raping and burning of houses and plantations of the different communities. Other incidents of intercommunity violence were also reported in the zone of confidence and in the western part of the country. Restriction of freedom of movement continues to be a matter of concern in some regions. Several individuals suspected of being infiltrators or spies from the southern part of the country were arrested in Bouaké, Korhogo and Odienné. Meanwhile, UNOCI pursued its human rights advocacy and awareness-raising campaign, including through television programmes and periodical reports documenting human rights violations.

Child protection

60. UNOCI and UNICEF are in the process of ascertaining the claim of the Forces nouvelles that no more child combatants are associated with its forces in Bouaké and Katiola. The Forces nouvelles also sought UNOCI assistance in identifying and demobilizing children in other areas under their control. Advocacy efforts by UNOCI and PNDDR have resulted in four militia groups operating in the western part of the country (Front de libération du grand-ouest, Mouvement ivoirien pour la libération de l'ouest de la Côte d'Ivoire, Alliance patriotique-Wé and Union patriotique pour la résistance du grand-ouest) considering subscribing to a regional

action plan to end the association of children with their fighters, in application of Security Council resolutions 1539 (2004) and 1612 (2005)

IX. Role of the media in the crisis

61. UNOCI continues to monitor the media closely and has introduced a new media-monitoring programme on its radio station, ONUCI-FM. In collaboration with media monitoring bodies, it has also designed and elaborated a media road map aimed at improving the political environment through ONUCI-FM, UNOCI television programmes and the UNOCI website.

62. Segments of the local media continued to broadcast inflammatory statements. Some newspapers spread rumours of violence by the militias or alleged plans to attack and kill political leaders. Others called for mobilization against foreign nationals. During the period under review, UNOCI continued to monitor and report on hate media.

63. In August, President Gbagbo signed two decrees related to the mandates and powers of the National Press Council and the National Council on Audio-Visual Media and the institution of a press identification card. These measures are expected to contribute towards improving the media sector's legal framework, as the laws mandate sanctions against offenders, including the temporary closures of media houses. Meanwhile, UNOCI and the Office of the High Representative for the elections are working on the elaboration and adoption of a compulsory code of conduct for the media during the electoral period.

X. Gender issues

64. During the reporting period, UNOCI carried out gender awareness and induction training programmes for 26 male and 4 female police officers. UNOCI also assisted the Ministry of Family and Social Affairs in drafting a national gender policy, and in training the Ministry's personnel on gender issues. All UNOCI components are working to mainstream gender into their workplans.

XI. HIV/AIDS

65. In accordance with Security Council resolution 1308 (2000), UNOCI continued activities aimed at discouraging HIV/AIDS conducive behaviour among peacekeepers. Some 400 United Nations staff members received HIV/AIDS awareness training during this period, while 85 staff members underwent voluntary confidential counselling and testing. UNOCI also continued to foster strategic partnerships in the field of HIV/AIDS prevention, notably through the consortium of an HIV/AIDS network of non-governmental organizations in Côte d'Ivoire and with the Network of People Living with HIV/AIDS, the Alliance of Religious Leaders for the Fight against AIDS and with United Nations agencies.

XII. Conduct and discipline of United Nations personnel

66. During the reporting period, UNOCI remained proactive in implementing measures aimed at preventing sexual exploitation and abuse. In this regard, UNOCI is looking into cases of specific conditions that could lead to potential acts of misconduct, such as access to UNOCI military compounds and command responsibilities related to such access. Regular training on conduct and discipline issues is being provided to United Nations personnel.

67. The Conduct and Discipline Unit continued to receive allegations of misconduct and worked with the Office of Internal Oversight Services on investigations into allegations involving UNOCI personnel. A UNOCI hotline has been established to facilitate better access to the reporting mechanism.

XIII. Observations and recommendations

68. For the past four years, the international community has invested a considerable amount of resources to help the Ivorian parties take their country out of crisis. Despite these efforts the first transition period prescribed in the Linas-Marcoussis Agreement in January 2003, ended in October 2005 without elections and with no progress on the key issues of disarmament, dismantling of the militia, identification and reunification of the country. The extension of the transition period for an additional 12 months in October 2005 had created initial hope, in particular because of the commendable efforts of Prime Minister Banny to cultivate confidence and forge dialogue among the Ivorian political leaders as he set out to implement the mandate given to him under Security Council resolution 1633 (2005).

69. Thanks to Prime Minister Banny's political skills and perseverance, as well as the tremendous amount of time and energy exerted by the leaders of the region, in particular Presidents Mbeki, Olusegun Obasanjo and Sassou-Nguesso, with whom I have closely worked in the efforts to keep the peace process on track, the initial phases of the disarmament process, the dismantling of the militia, the identification of the population and the restoration of State authority throughout the country, were launched earlier in 2006. Thus, for the first time since the start of the conflict in Côte d'Ivoire, concrete steps have been taken to implement the core processes that are critical to the resolution of the crisis.

70. Regrettably, events have taken a negative and disappointing turn over the past three months. The manifest lack of political will by the main Ivorian political leaders, in particular their inability to transcend narrow personal and political interests, and to put the national interest first in addressing the core issue of the identification of the population, have created yet another major stalemate. At every critical turn of the peace process, some of the main political leaders have resorted to calculated obstruction of the peace process, exploiting loopholes in the peace agreements, using legal technicalities and often inciting violent acts by their followers. Consequently, the second transition period, like the first, is coming to a close without elections.

71. However, despite understandable frustrations, the international community should not abandon the Ivorian people. They deserve continued support in their quest for a lasting peace in their country and in the entire subregion. I therefore welcome the initiative taken by the ECOWAS leaders, who have developed

important recommendations concerning the way forward after the current transition period expires on 31 October. It is imperative for the African Union and the Security Council to capitalize and build upon the proposals of the ECOWAS leaders, in order to put in place the requisite measures to accelerate the peace process and guarantee the success of the anticipated new transition arrangements. This time, ECOWAS, the African Union and the United Nations can ill afford a transition period that again ends without elections.

72. In this context, it is my strong belief that the duration of the anticipated new transition should be determined strictly on the basis of the time required to complete the disarmament, demobilization and reintegration process, to conduct effective identification, to dismantle the militias, to re-establish State authority and to finalize the technical preparations for the elections. The lack of political will on the part of the Ivorian political leaders should not be allowed to impede progress again. To that end, it would be important to make it clear to those leaders that the envisaged further extension of the transition period should be the last. Should they again fail to move towards elections, ECOWAS, the African Union and the Security Council should consider putting in place transitional governance arrangements comprising eminent, non-partisan personalities from civil society to complete the remaining transition processes and conduct the long overdue elections, and thus address the aspirations of the Ivorians and the States of the region to bring lasting stability to the country.

73. As the Security Council considers the envisaged new transition arrangements, based on the recommendations of ECOWAS and the African Union, it is important to be mindful of the need to preserve and build upon the gains made so far, in particular on the delicate disarmament and identification processes. In this regard, the Council should consider preserving the agreed principle of concomitant implementation of disarmament and identification, and insisting on the resumption of the implementation of the pre-cantonment phase of the disarmament programme and the dismantling of the militia, on the basis of the already agreed procedures, with adequate resources and clear weapons criteria for the admission of individuals into the programme for dismantling the militia.

74. Without specific unambiguous guidance on the core issues concerning the issuance of certificates of nationality and the preparation of voters' lists, which are at the centre not only of the current impasse, but also of the conflict itself, the anticipated new transition process will, like the previous one, go through the same vicious cycles of endless stalemates. I therefore urge the Security Council to consider ways of addressing these crucial issues, taking into account the recommendations of ECOWAS and the African Union.

75. In addition, in order to eliminate the existing loopholes and avoid previously encountered obstacles, it would be essential for the Security Council to consider setting the following ground rules and safeguards: (a) international instruments that set out the special arrangements for the transition period (past and future Security Council resolutions, African Union and ECOWAS decisions, and peace agreements) should take precedence where there may be a divergence with the Ivorian Constitution and national laws; (b) the Prime Minister should have the necessary authority over all relevant public offices, as well as the Defence and Security Forces, for all issues pertaining to the implementation of the road map. He should also have control over the appointment of senior public officials and the high

command of the Defence and Security Forces; (c) all commanders of the Defence and Security Forces, as well as political leaders, should be held personally responsible for activities that disrupt the implementation of the road map, and should be subject to the imposition of individual sanctions by the Security Council in this regard, with the more serious cases referred to the International Criminal Court; (d) all parties should allow the Ivorian population and the impartial forces complete freedom of movement throughout the country; and (e) the Prime Minister should have full and unfettered authority to implement the disarmament programme, the identification process, the dismantling of the militia and the earliest re-establishment of State authority throughout the country and to commit the necessary funds to ensure the implementation of those key processes. It is also obvious that for the peace process to succeed, articles 35 and 48 of the Constitution should not be invoked during the transition period in respect of these key processes.

76. With regard to the transition institutions, it would be important to establish, under the Prime Minister's authority, two task forces, respectively, on the restructuring of the defence and security force, and on the identification process. Both task forces would comprise representatives of the Ivorian parties, the Prime Minister's office and the impartial forces, as well as other relevant partners. It is also important to ensure that the Independent Electoral Commission has the final authority on the electoral process during the transition period, and that the National Institute of Statistics operates under the direct oversight of the Independent Electoral Commission. The composition of these bodies should be reviewed by the Prime Minister, who should take the final decision on the new appointments, in order to ensure their total impartiality. This process would be certified by the High Representative for the elections.

77. With regard to the role of the international community, I recommend that the United Nations have an enhanced role in supporting and implementing the key processes of disarmament, identification, the re-establishment of State authority, the dismantling and disarmament of the militias and the technical preparations for the elections. In this context, it would be necessary for the Council to review the mandate of UNOCI and to augment its resources. It is also important for the Security Council to closely monitor the implementation of the road map during the new transition period, in particular, with a view to imposing targeted sanctions against those obstructing the peace process, or seizing the International Criminal Court.

78. Concerning the electoral process, it is imperative to ensure that the High Representative for the elections has the authority to make binding determinations on all issues pertaining to the electoral process, including those aspects of the peace agreements relating to electoral matters. Each stage of the electoral process should be certified by the High Representative. In this regard, I regret to report that, despite generous contributions received from the European Commission, France, Norway, Spain, Switzerland and the United Kingdom of Great Britain and Northern Ireland during 2006, the available resources remain inadequate to sustain the Office of the High Representative. Considering the crucial role of the High Representative in the peace process, in particular in the next phases, it is my intention, as indicated in my eighth report on UNOCI (S/2006/222), to seek the approval of the General Assembly for the use of assessed contributions to fund his office.

79. The role of ECOWAS and the African Union in supporting the new transition process will be equally critical. It is important for these two regional bodies to forge unity among the regional actors and mediators. In this regard, I urge the Chairmen of ECOWAS and the African Union to ensure that all mediation efforts are harmonized and properly coordinated.

80. I am pleased to note that at the extraordinary summit held on 6 October 2006 in Abuja, the ECOWAS leaders came up with concrete recommendations on the way forward in Côte d'Ivoire, which have already been conveyed to the African Union. It is my fervent hope that in reviewing those recommendations, the planned summit of the Peace and Security Council of the African Union will come up with clear decisions that would meet the imperatives outlined above for effective and expeditious implementation of the peace process.

81. In conclusion, I would like to commend my Special Representative, Pierre Schori, the High Representative for the elections, Gérard Stoudmann, and the civilian and military staff of UNOCI for their continued efforts in support of sustainable peace in Côte d'Ivoire. Similarly, I would like to express my gratitude to the United Nations country team, the humanitarian and development organizations and the bilateral donors and the countries that are contributing troops and police personnel to UNOCI, as well as to the African Union and the Economic Community of West African States, for their invaluable contributions to the peace process.

Annex

United Nations Operation in Côte d'Ivoire: military and civilian police strength as at 6 October 2006

<i>Country</i>	<i>Military observers</i>	<i>Staff officers</i>	<i>Troops</i>	<i>Total</i>	<i>Formed police unit</i>	<i>Civilian police</i>
Argentina						4
Bangladesh	11	9	2 738	2 758	250	
Benin	7	7	421	435		27
Bolivia	3			3		
Brazil	4	3		7		
Cameroon						61
Canada						2
Central African Republic						7
Chad	3			3		5
China	7			7		
Croatia	3			3		
Djibouti						39
Dominican Republic	4			4		
Ecuador	2			2		
El Salvador	3			3		1
Ethiopia	2			2		
France	3	14	171	188		10
Guatemala	5			5		
Ghana	6	7	529	542		1
Gambia	3			3		
Guinea	3			3		
India	8			8		
Ireland	2			2		
Jordan	7	11	1 050	1 068	375	4
Kenya	4	5		9		
Madagascar						6
Morocco	1	3	732	736		
Namibia	3			3		
Nepal	3			3		
Niger	6	3	372	381		71
Nigeria	7			7		11
Pakistan	10	9	1 110	1 129		2
Paraguay	9	2		11		
Peru	3			3		
Philippines	4	3		7		6

<i>Country</i>	<i>Military observers</i>	<i>Staff officers</i>	<i>Troops</i>	<i>Total</i>	<i>Formed police unit</i>	<i>Civilian police</i>
Poland	2			2		
Republic of Moldova	4			4		
Romania	7			7		
Russian Federation	11			11		
Rwanda						15
Senegal	7	8	319	334		18
Serbia	3			3		
Switzerland						2
Togo	6	4	314	324		1
Tunisia	5	2		7		
Turkey						19
Uganda	4	3		7		
United Republic of Tanzania		1		1		
Uruguay	1	1		2		6
Vanuatu						4
Yemen	6			6		2
Zambia	2			2		
Total	194	95	7 756	8 045	625	324

